

## **TENDER RECOMMENDATION REPORT**

**TO:** ACTING CHIEF EXECUTIVE OFFICER

**CC:** MANAGER PARKS AND CONSERVATION MANAGEMENT

**FROM:** DIRECTOR ASSETS

**HPE DOC REF:** 46872: 23/272604

**DATE:** 11 October 2023

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**TENDER 23031: SUPPLY AND DELIVERY OF MULCH FOR CITY PARKS  
AND STREETSCAPES**

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### Issue

To consider Tender 23031 for the Supply and Delivery of Mulch for City Parks and Streetscapes for an initial period of three (3) years with two (2), twelve (12) month or part thereof, options to extend at the discretion of the City.

### Background

The City is seeking to appoint a suitable supplier of high-quality mulch products in order to enhance the appearance of parks and streetscapes. A reliable and sustainable supply of mulch will contribute towards a water wise future and reduce the application of herbicide chemicals. The mulch should be to Australian Standard 4454 - 2012 *Composts, soil conditioners and mulches*.

### Detail

Tender 23031 for the Supply and Delivery of Mulch for City Parks and Streetscapes was issued on 17 June 2023 and closed on 4 July 2023.

One addendum was issued in response to a request for clarification.

Essential details of the proposed contract are as follows:

Item	Detail
Contract Form	Good and/or Services
Contract Type	Schedule of Rates
Contract Duration	3 Years
Commencement Date	October 2023
Expiry Date	October 2026
Extension Permitted	Yes, 2 periods of 12 months

Tender submissions were sought on the basis of separable portions.

1. Pine bark mulch
2. Bushland Mulch
3. Softfall pine chip AS 4422
4. Alternate Products:

At close of Tender, responses were received from the following:

Legal Name	Trading Name	Abbreviation
Community Greenwaste Recycling Pty Ltd	Community Greenwaste Recycling Pty Ltd	Community Greenwaste
Fitonia Pty Ltd ATF the Silverspring Trust	T J Depiazzi & Sons	Depiazzi
Eclipse Soils Pty Ltd	Eclipse Soils Pty Ltd	Eclipse
JD Organics Pty Ltd	GO Organics	Go Organics

The products offered were initially assessed to determine their suitability for City requirements with only the Bushland Mulch and Aquamor Mulch products being considered suitable.

Separable Portions offered:	
1 Pine bark mulch	No acceptable offer received
<b>2 Bushland Mulch</b>	<b>Suitable product - Depiazzi and Eclipse Tendered</b>
3 Softfall pine chip AS 4422	No acceptable offer received
4- Alternate Products:	No acceptable offer received
Woodland Chip Black, Red or Brown	No acceptable offer received
Enviro Mulch - Test Certificate Provided	No acceptable offer received
Bushmans Mulch New Product test results to come	No acceptable offer received
Prowood Mulch - New Product test results to come	No acceptable offer received
Prowood Mulch Screened Test Certificate provided	No acceptable offer received
Boutique Mulch AS Cert yes	No acceptable offer received
<b>Aquamor Mulch AS Cert Yes</b>	<b>Suitable product - Eclipse Tendered</b>
Waterwise Tropical Black Mulch AS Cert Yes	No acceptable offer received

## Probity Oversight

Oversight to the assessment process was undertaken by William Buck Consulting (WA) Pty Ltd and the City's Contracts Officer. All submissions were deemed conforming.

Submissions were evaluated in accordance with the Procurement and Evaluation Plan (PEP) which included the following selection criteria:

Item No	Description	Weighting
1	Sustainable (Corporate Social Responsibility) Procurement a. Environmental Considerations 5% b. Buy Local 20% c. Reconciliation Action Plan 2.5% Disability Access & Inclusion 2.5%	30%
2	*WHS	20%
3	*Demonstrated Experience	25%
4	*Methodology, Demonstrated Capacity and Resources	25%

All tenderers must meet the City's minimum requirements (as determined by the City) for each of the qualitative criteria detailed above (\*) in order to be considered for further evaluation.

Pricing is not included in the qualitative criteria and is considered as part of the overall value for money assessment.

### Evaluation Criteria 1 – Sustainable Procurement (30%)

Evidence of Sustainable (Corporate Social Responsibility) Procurement was assessed based on the Tenderer's responses provided to the Questionnaires within Schedules 3A, 3B, 3C and 3D which formed part of the tender documentation.

#### Sub Criteria a) Environmental Considerations (5%)

The City is committed to procuring goods and services that provide positive environmental, social and economic impacts over the entire life cycle of a product or service. Respondents are encouraged to provide credentials of any environmental claims of the goods and/or services submitted in this tender.

Tenderers provided details of their environmental considerations within Schedule 3A, with the following ranking:

Tenderer	Ranking
Go Organics	1
Depiazzi	2
Eclipse	2
Community Greenwaste	4

**Sub Criteria b) Buy Local (20%)**

An assessment was made based on the response provided, detailing the following information:

- Location of tenderer's offices and workshops;
- Residential addresses of staff and company addresses of subcontractors;
- Purchasing arrangements through local businesses;
- Requirement for new employees arising from award of the contract.

Tenderers provided details of their "Buy Local" considerations within Schedule 3B, with the following ranking:

<b>Tenderer</b>	<b>Ranking</b>
Community Greenwaste	1
Eclipse	1
Go Organics	1
Depiazzi	4

**Sub Criteria c) Reconciliation Action Plan (RAP) (2.5%)**

An assessment was made to determine the ranking based on the responses provided that relate to:

- RELATIONSHIPS - building positive relationships between indigenous and non-indigenous people;
- RESPECT – recognising the contribution of Indigenous people to Australia and learning more about the history, culture and diversity in a two-way communication process;
- OPPORTUNITIES – attracting, developing and retaining organisational talent to build opportunities for aboriginal employment, training, and development and mentoring.

Tenderers provided information specifying differing levels of actions in relation to indigenous reconciliation action with assessment resulting in the following ranking:

<b>Tenderer</b>	<b>Ranking</b>
Go Organics	1
Community Greenwaste	2
Depiazzi	2
Eclipse	4

**Sub Criteria d) Access & Inclusion Plan (AIP) (2.5%)**

An assessment was made to determine the ranking based on the responses provided that relate to:

- People with disabilities having the same buildings and facilities access opportunities as other people;
- People with disabilities receiving information in a format that will enable them to access information as readily as other people are able to access it;
- People with disabilities receiving the same level and quality of service from staff as other people receive;
- People with disabilities having the same opportunities as other people to make complaints;

- People with disabilities having the same opportunities as other people to participate in any employment opportunities.

Tenderers provided information specifying considerations for access and inclusion provisions with assessment resulting in the following ranking:

<b>Tenderer</b>	<b>Ranking</b>
Go Organics	1
Community Greenwaste	2
Depiazzi	3
Eclipse	4

### **Overall Sustainable Procurement Ranking Summary**

The overall assessment of the Sustainable Procurement criteria has resulted in the following overall ranking:

<b>Tenderer</b>	<b>Ranking</b>
Go Organics	1
Community Greenwaste	2
Eclipse	3
Depiazzi	4

### **Evaluation Criteria 2 - Tenderer's Safety Management Systems (20%)**

Evidence of WHS management policies and practices was assessed from the tender submissions. The assessment for safety management was based on the tenderer's responses to a specific Questionnaire included within the tender documentation.

Tenderers provided details of their safety management systems with the following ranking:

<b>Tenderer</b>	<b>Ranking</b>
Go Organics	1
Eclipse	2
Community Greenwaste	3
**Depiazzi	4

\*\* Depiazzi did not meet the City's minimum requirements for this criterion.

### **Evaluation Criteria 3 - Tenderer's relevant experience with achievement of meeting client expectations (25%)**

The tenderer's relevant experience in demonstrating the achievement of meeting client expectations as presented in their tender submission were assessed in order to evaluate their capability to meet the requirements of the contract. Assessment of this criterion considered the tendering entity's credentials to fulfil the requirements of the contract. The assessment of this criterion has resulted in the following ranking:

<b>Tenderer</b>	<b>Ranking</b>
Go Organics	1
Depiazzi	2
Eclipse	2
Community Greenwaste	4

#### Evaluation Criteria 4 - Tenderer's demonstrated methodology, resources and capacity to meet the requirements of the Contract (25%)

The tenderer's resources as presented in their tender submission were assessed to evaluate their capacity to meet the requirements of the contract. Assessment of this criterion considered the tenderer's staff resources, vehicles, plant/equipment and workshop support to manage the contract. The assessment of this criterion has resulted in the following ranking:

Tenderer	Ranking
Go Organics	1
Community Greenwaste	2
Depiazzi	2
Eclipse	2

#### Overall Qualitative Weighted Assessment and Ranking

Tenderer's submissions were reviewed in accordance with the Procurement and Evaluation Plan. The overall assessment of qualitative weighted criteria resulted in the following ranking:

Tenderer	Ranking
Go Organics	1
Eclipse	2
Community Greenwaste	3
Depiazzi**	4

\*\*\*Depiazzi did not meet the minimum requirement for the WHS criterion and therefore did not proceed to the value for money assessment.

#### Pricing for the Goods/ and Services Tendered

Only Depiazzi and Eclipse provided pricing for Bushland Mulch and whilst Depiazzi did not progress to the value for money assessment, pricing was used for comparison purposes only. Eclipse also provided pricing for Aquamor Mulch.

#### Overall Value for money Assessment and Comment

The tender submission from Eclipse for Separable Portion 2 - Bushland Mulch and Separable Portion 4 - Aquamor Mulch satisfied the overall value for money assessment in accordance with the assessment criteria and weightings as detailed in the Procurement and Evaluation Plan and is therefore recommended as the successful tenderer for those Separable Portions. All other products tendered are therefore declined.

#### Consultation

Not applicable

#### Statutory Compliance

Tenders were invited in accordance with the requirements of Section 3.57 of the *Local Government Act 1995*. The tendering procedures and evaluation complied with the requirements of Part 4 of the *Local Government (Functions and General) Regulations 1996*.

### Strategic Implications

The proposal aligns with the following objective with the Strategic Community Plan 2021-2031:

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Goal 5 - A well-planned, safe and resilient City that is easy to travel around and provides a connection between people and places

5.3 Responsibly managed and maintained assets

### Risk Appetite Statement

In pursuit of strategic objective goal 5, we will accept a Medium level of risk, extended to High in the areas of Community / Reputation & Financial / Commercial impacts. Shifting transport modes and usage in the City may require short term pain for longer term gain as the City supports the development, maintenance and connection of alternatives to car use (e.g. cycle ways) and the supporting infrastructure.

### Enterprise Risk Management Considerations

Are there any Enterprise Risks applicable to this RFT/EOI and have they been assessed? This information will also be required for the Tender Recommendation Report.

Risk Title	Risk Rating
CO-001 Relationship Management	Moderate
<b>Accountability</b>	<b>Action Planning Option</b>
Director Corporate Strategy and Performance	Manage
Risk Title	Risk Rating
CO-008 Contract Management	Moderate
<b>Accountability</b>	<b>Action Planning Option</b>
Director Corporate Strategy and Performance	Manage
Risk Title	Risk Rating
CO-011 People Management	Moderate
<b>Accountability</b>	<b>Action Planning Option</b>
Director Corporate Strategy and Performance	Manage
Risk Title	Risk Rating
CO-017 Financial Management	Moderate
<b>Accountability</b>	<b>Action Planning Option</b>
Director Corporate Strategy and Performance	Manage
Risk Title	Risk Rating
CO-022 Environmental Management	Moderate
<b>Accountability</b>	<b>Action Planning Option</b>
Director Planning and Sustainability	Manage
Risk Title	Risk Rating
CO-023 Safety of Community	Moderate
<b>Accountability</b>	<b>Action Planning Option</b>
Director Community and Place	Manage

## **Financial and Performance Risk**

### Financial Risk

A financial risk assessment was undertaken as part of the tender evaluation process and the outcome of this independent assessment advised that Eclipse has been assessed with a 'satisfactory' financial capacity to meet the requirements of the contract.

### Performance Risk

Independent reference checks from the City of Perth and City of Fremantle indicate that the recommended tenderer has consistently provided the products and services to the City. The recommended tenderer has previously provided products to the City with no disputes or issues raised.

## **Policy Implications**

Tenders were invited in accordance with the requirements of the City's Purchasing Policy.

## **Financial (Budget) Implications**

Costs associated with the provision of these materials within the financial year 2023-2024 through until 2026-2027 will be accommodated in the Parks and Conservation Management operating budget.



**Recommendation:**

**That the Acting Chief Executive Officer, in accordance with 1.1.13 - Choice of Most Advantageous Tender of the Delegated Authority Register for the awarding of tenders ACCEPTS the tender submitted by ECLIPSE SOILS PTY LTD for Tender 23031, for the PROVISION OF MULCH FOR CITY PARKS & STREETSCAPES, as per the schedule of rates in the tender submission for Separable Portion 2 Bushland Mulch and Separable Portion 4 Aquamor Mulch, subject to appropriate funding availability, for each of the financial years within the initial three (3) year contract term with two (2) twelve (12) month, or part thereof, options to extend at the City's discretion.**